

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Caroline M Hinton v John P Schwab**
Docket No. **280115**
L.C. No. **2004-018120-DM**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the August 8, 2007 order is a postjudgment order that does not affect the custody of a minor. MCR 7.202(6)(a)(i), 7.202(6)(a)(iii) and MCR 7.203(A)(3). As a result, appellant may challenge the order in question by filing a delayed application for leave to appeal under MCR 7.205. In *Thurston v Escamilla*, 469 Mich 1009 (2004) the order entered in that case did affect custody because a change of domicile to another state deprived Escamilla of his joint custodial rights. In this case the denial of a change of domicile leaves the custodial rights of the parties exactly the same.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP - 7 2007

Date

Sandra Schultz Mengel

Chief Clerk